REMARKS

1. Claims 16, 17, 21-34, 49, 51, 52, 54, 56, and 58-60 are pending. No claims are canceled or added and claim 34 is amended. As requested in the Office Action, all claims are listed

Claim 34 is recited below showing the amendment correcting a grammatical error and not adding new matter to this application.

34. A roof in combination with the roof ventilator of claim 17, the roof with a peak and an opening generally coinciding with the roof peak, the roof ventilator attached to the roof such that air from inside the roof can pass from the ventilator interior region, through the roof ventilator, and into the roof ventilator exterior region, via the roof ventilator top panel air passages and each said ventilator section air ~~passages~~ passage.

The final version of the claims as believed previously allowable is recited in this response.

Claims 1-15 were canceled in the 22 May 2001 preliminary amendment.

Claim 16 was added in the 22 May 2001 preliminary amendment and amended in amendments dated, 2 May 2003, 15 September 2003, and 4 June 2004.

Claim 17 was added in the 22 May 2001 preliminary amendment and amended in the 15 September 2003 amendment.

Claims 18-20 were added in the 22 May 2001 amendment and canceled in the 15 September 2003 amendment.

Claims 21-26were added in the 22 May 2001 preliminary amendment and amended in the 15 September 2003 amendment.

Claims 27-29 were added in the 22 May 2001 amendment.

Claims 30-31 were added in the 22 May 2001 amendment and amended in the 17 February 2006 amendment.

Claim 32 was added in the 22 May 2001 amendment.

Claim 33 was added in the 22 May 2001 amendment and amended in the 15 September 2003 amendment.

Claim 34 was added in the 22 May 2001 amendment and amended herein.

Claims 35-48 were added in the 22 May 2001 amendment, withdrawn from consideration by the 14 July 2003 Office Action, and canceled in the 4 April 2006 Amendment.

Claim 49 was added in the 2 May 2003 amendment and amended in the 15 September 2003 and 4 June 2004 amendments.

Claim 50 was added in the 2 May 2003 amendment and canceled in the 15 September 2003 amendment.

Claim 51 was added in the 2 May 2003 amendment and amended in the 4 June 2004 and 4 April 2005 amendments.

Claim 52 was added in the 2 May 2003 amendment and amended in the 4 April 2005 amendment.

Claim 53 was added in the 2 May 2003 amendment and canceled in the 15 September 2003 amendment.

Claim 54 was added in the 2 May 2003 amendment.

Claim 55 was added in the 2 May 2003 amendment and canceled in the 15 September 2003 amendment.

Claim 56 was added in the 2 May 2003 amendment and amended in the 15 September 2003 and 17 February 2006 amendments.

Claim 57 was added in the 2 May 2003 amendment and canceled in the 15 September 2003 amendment.

Claim 58 was added in the 2 May 2003 amendment and amended in the 15 September 2003 and 17 February 2006 amendments.

Claim 59 was added in the 2 May 2003 amendment and amended in the 15 September 2003, 4 June 2004, and 17 February 2006 amendments.

Claim 60 was added in the 2 May 2003 amendment and amended in the 15 September 2003 and 17 February 2006 amendments.

Claims 61-70 were added by the 2 May 2003 amendment, withdrawn from consideration in the 14 July 2003 Office Action, and canceled in the 4 April 2006 amendment.

Applicants submit that support for the foregoing claim amendments can be found in the amendments as identified above. In view of the foregoing amendments, reconsideration and allowance of this application are respectfully requested.

Assent of Assignee

2. The Office Action objected to the application under 37 C.F.R. § 1.172(a) as lacking the written consent of all assignees owning an undivided interest in the patent and stating that the consent of the assignee must be in compliance with 37 C.F.R. § 1.172 and requiring assent of the assignee in compliance with 37 C.F.R. §§ 1.172 and 3.73. An assent of assignee is submitted herewith, which contains the required consent. In view of the accompanying assent of assignee, reconsideration and withdrawal of the objection are respectfully requested.

Amendments

3. The Office Action objected to the preliminary amendment filed 22 May 2001, including the amendments to the specification and abstract as containing boldface type. Amendments to the specification are included in this response and are believed to be in compliance with the objection. Therefore, reconsideration and withdrawal of the objection are respectfully requested.

Oath/Declaration

4. The Office Action asserted the reissue declaration filed with this Application was defective because the country of citizenship of each inventor was not stated as required by 37 C.F.R. § 1.63(a)(3) and because the mailing address and residence of each inventor was not stated as required by 37 C.F.R. § 1.63(c)(1). A supplemental reissue declaration is submitted which has the country of citizenship and mailing address of each inventor.

The Office Action further stated that the reissue declaration filed with this application was defective because errors relied upon to support the reissue application are not appropriate errors upon which the present reissue application can be based. The enclosed supplemental reissue declaration is believed to contain an error upon which the present reissue application can be based. In view of the accompanying supplemental reissue declaration, reconsideration and withdrawal of any objection or rejection are respectfully requested.

35 U.S.C. § 251

5. Claims 16, 17, 21-34, 49, 51, 52, 54, 56, and 58-60 are rejected under 35 U.S.C. § 251 as based upon a defective declaration. In view of the supplemental reissue oath submitted herewith and which is not believed to be defective, reconsideration and withdrawal of the rejection are respectfully requested.

Double Patenting

6. Claims 16, 17, 21-34, 49, 51, 52, 54, 56, and 58-60 are rejected on the ground of nonstatutory obviousness-type double patenting over claims 1-20 of U.S. Patent RE. 37,388. Accordingly, a Terminal Disclaimer and the fee therefor are submitted with this Response. In view of the enclosed Terminal Disclaimer, reconsideration and withdrawal of the rejection are respectfully requested.

Replacement Amendment

7. The Office Action required a substitute amendment in compliance with 37 C.F.R. § 1.173 replacing any and all previous amendments to be an all encompassing amendment covering all changes made to the specification and claims throughout the prosecution of the instant reissue application. All amendments to the claims and specification are recited herein and Applicants believe that this response meets the requirements of the required substitute amendment.

8. The Office Action required a substitute amendment in compliance with 37 C.F.R § 1.173 replacing any and all previous amendments and covering all changed made to the specification and claims throughout the prosecution of the instant reissue application. This response is believed to fulfill this requirement, wherein all amendments to the claims, whether presently pending or canceled, are shown below.

A preliminary amendment, filed 22 May 2001, amended the specification and abstract, these amendments being presented below (along with the redlined attachment).

The title as amended.

In the Title

Please amend the title as indicated:

RIDGE CAP TYPE ROOF VENTILATOR

The amendment to the title from the redlined attachment.

In the Title

Please amend the title as indicated:

RIDGE CAP **TYPE** **[TYPES]** ROOF VENTILATOR

Amendments to the specification, followed by these amendments as indicated in the redlined attachment.

Preliminary amendment.

In the Specification

Please amend U.S. Patent 5,094,041 at the paragraph beginning at column 1, line 5:

This invention relates generally to roof ventilators, and particularly to improved methods for manufacturing a foldable corrugated plastic ridge cap type roof ventilator.

Amendment shown in redlined attachment.

Please amend U.S. Patent 5,094,041 at the paragraph beginning at column 1, line 5:

This invention relates generally to roof ventilators, and particularly to improved methods for manufacturing a foldable corrugated plastic ridge cap type roof ventilator.

Preliminary amendment.

The paragraph beginning at column 1, line 46 of U.S. Patent 5,094,041 is amended as indicated:

Another alternative is disclosed in U.S. Pat. No. 4,876,950 to Rudeen, which utilizes a single plastic membrane which flexes to conform to different roof pitches, and has a pair of open-celled foam plastic strips secured to the bottom surface thereof to act as the two vent parts placed on opposing sides of the open roof peak. The open celled foam consists of a latticework of interconnected filaments which permit ventilation, but which do not present a plurality of straight or unobstructed paths extending from the exterior to the interior of the roof ventilator.

Amendment shown in redlined attachment.

The paragraph beginning at column 1, line 46 of U.S. Patent 5,094,041 is amended as indicated:

Another alternative is disclosed in U.S. Pat. No. 4,876,950 to Rudeen, which utilizes a single plastic membrane which flexes to conform to different roof pitches, and has a pair of open-celled foam plastic strips secured to the bottom surface thereof to act as the two vent parts placed on opposing sides of the open roof peak. The open celled foam consists of a latticework of interconnected filaments which permit ventilation, but which do not present a plurality of straight or unobstructed paths extending from the exterior to the interior of the roof ventilator.

Preliminary amendment.

The paragraph beginning at column 1, line 65 of U.S. Patent 5,094,041 is amended as indicated:

One drawback of the foldable or flexible roof ventilators discussed above is that if the top surface of the top panel is to be angled parallel with the surface of the roof, the top panel must be scored or creased in order to form a center fold line across which the panel is folded or flexed to bring the top panel and opposing vent parts into parallel alignment and contact with the surface of the roof. Even with such a fold or crease, the top panel of the roof ventilator may not always fold along a straight line, but instead will buckle irregularly. Conversely, in some roofing applications (such as with the curved ceramic roofing tiles popular in the western United States) it is necessary to permit the top panel to be gradually convoluted rather than folded along a straight line, in order that the top panel will mold or conform to the non-uniform shape or arrangement of the roofing tiles.

Amendment shown in redlined attachment.

The paragraph beginning at column 1, line 65 of U.S. Patent 5,094,041 is amended as indicated:

One drawback of the foldable or flexible roof ventilators discussed above is that if the top surface of the top panel is to be angled parallel with the surface of the roof, the top panel must be scored or creased in order to form a center fold line across which the panel is folded or flexed to bring the top panel and opposing vent parts into parallel alignment and contact with the surface of the roof. Even with such a fold or crease, the top panel of the roof ventilator may not always fold along a straight line, but instead will buckle irregularly. Conversely, in some roofing applications (such as with the curved ceramic roofing tiles popular in the western United States) it is necessary to permit the top panel to be gradually convoluted rather than folded along a straight line, in order that the top panel will mold or conform to the non-uniform shape or arrangement of the roofing tiles.

Preliminary amendment.

The paragraph beginning at column 2, line 19, of U.S. Patent 5,094,041 is amended as indicated:

Other screening or partitioning devices for blocking wind driven precipitation from entering the roof opening through the interior of a roof ventilator are known besides that shown in the Sells '953 patent. Representative examples are shown in U.S. Pat. Nos. 2,868,104 to Honholt; 3,311,047 to Smith; 3,481,263 to Belden; 3,625,134 to Smith; and 4,676,147 to Mankowski. The principle behind the operation of most of these devices is simply to place a perforated or slotted panel within the interior of the roof ventilator. The Mankowski '147 patent is interesting in that it places a generally open region between the exterior of the ventilator and the perforated panel, and a solid barrier of reduced height within that open area.

Amendment shown in redlined attachment.

The paragraph beginning at column 2, line 19, of U.S. Patent 5,094,041 is amended as indicated:

Other screening or partitioning devices for blocking wind driven precipitation from entering the roof opening through the interior of a roof ventilator are known besides that shown in the Sells '953 patent. Representative examples are shown in U.S. Pat. Nos. 2,868,104 to Honholt; 3,311,047 to Smith; 3,481,263 to Belden; 3,625,134 to Smith; and 4,676,147 to Mankowski. The principle behind the operation of most of these devices is simply to place a perforated or slotted panel within the interior of the roof ventilator. The Mankowski '147 patent is interesting in that it places a generally open region between the exterior of the ventilator and the perforated panel, and a solid barrier of reduced height within that open area.

Preliminary amendment.

The paragraph beginning on column 2, line 53, of U.S. Patent 5,094,041 is amended as indicated:

It is yet an another object of this invention to design the above roof ventilator such that it incorporates a barrier to prevent wind driven precipitation, as well as moisture drawn by capillary action, from accumulating in and blocking the tubular air passages, or passing through the interior of the roof ventilator and entering through the roof opening.

Amendment shown in redlined attachment.

The paragraph beginning on column 2, line 53, of U.S. Patent 5,094,041 is amended as indicated:

It is yet an another object of this invention to design the above roof ventilator such that it incorporates a barrier to prevent wind driven precipitation, as well as moisture drawn by capillary action, from accumulating in and blocking the tubular air passages, or passing through the interior of the roof ventilator and entering through the roof opening.

Preliminary amendment.

The paragraph beginning on column 2, line 61, of U.S. Patent 5,094,041 is amended as indicated:

Briefly described, the ridge peak type roof ventilator of this invention comprises a pair of vent parts disposed on opposing sides of an opening in a roof peak, and a top panel disposed above and connecting each of the vent parts. The vent parts may be of unitary construction, folded from interconnected panels, or assembled from individual layers of sheet material. Each vent part forms a multiplicity of air passages through which air flows from the interior to the exterior of the roof ventilator. With a top panel constructed from double-faced corrugated plastic having a pair of planar plies and a convoluted intermediate ply, the underside of the top panel may be routed along the centerline to form a generally concave recessed area, thereby cutting away a section of one planar ply and part of the intermediate ply to form oval-shaped openings. Each opening has a pair of side walls traversing generally concave arcuate paths between a maximum height adjacent the side edges of the recessed area and a minimum height along the centerline. When selectively bent, the top panel will responsively fold along the centerline corresponding to the minimum heights of each of the side walls. Each vent part defines a columnar pocket which acts as a precipitation barrier, and which may be formed by cutting an array of vent apertures in separate panels and folding or attaching those panels in parallel abutting contact with the apertures aligned. All or some of the air may therefore be made to pass through the pockets The roof ventilator may be shipped flat or folded into a compact bundle.

Amendment shown in redlined attachment.

The paragraph beginning on column 2, line 61, of U.S. Patent 5,094,041 is amended as indicated:

Briefly described, the ridge peak type roof ventilator of this invention comprises a pair of vent parts disposed on opposing sides of an opening in a roof peak, and a top panel disposed above and connecting each of the vent parts. The vent parts may be of unitary construction, folded from interconnected panels, or assembled from individual layers of sheet material. Each vent part forms a multiplicity of air passages through which air flows from the interior to the exterior of the roof ventilator. With a top panel constructed from double-faced corrugated plastic having a pair of planar plies and a convoluted intermediate ply, the underside of the top panel may be routed along the centerline to form a generally concave recessed area, thereby cutting away a section of one planar ply and part of the intermediate ply to form oval-shaped openings. Each opening has a pair of side walls traversing generally concave arcuate paths between a maximum height adjacent the side edges of the recessed area and a minimum height along the centerline. When selectively bent, the top panel will responsively fold along the centerline corresponding to the minimum heights of each of the side walls. Each vent part defines a columnar pocket which acts as a precipitation barrier, and which may be formed by cutting an array of vent apertures in separate panels and folding or attaching those panels in parallel abutting contact with the apertures aligned. All or some of the air may therefore be made to pass through the pockets The roof ventilator may be shipped flat or folded into a compact bundle.

Preliminary amendment.

Lines 41 and 42, column 3, of U.S. Patent 5,094,041 are amended as indicated:

FIG. 7 is a broken away perspective view of the roof ventilator of FIG. 1 in an inverted position;

Amendment shown in redlined attachment.

Lines 41 and 42, column 3, of U.S. Patent 5,094,041 are amended as indicated:

FIG. 7 is **a** [an] broken away perspective view of the roof ventilator of FIG. 1 in an inverted position;

Preliminary amendment.

The paragraph beginning at column 4, line 7, of U.S. Patent 5,094,041 is amended as indicated:

The preferred embodiment of a foldable corrugated plastic roof ventilator is disclosed in U.S. Pat. No. 4,803,813 to Fiterman, the content of that patent disclosure and related documents being incorporated herein by reference. That embodiment has been generally characterized as a "slit-scored" configuration of the roofing ventilator which is cut, scored, and folded from a sheet of double-faced corrugated plastic sheet material. An alternate embodiment of the "slit-scored" roof ventilator, termed the "nick-scored" configuration, has been utilized herein for reference purposes.

Amendment shown in redlined attachment.

The paragraph beginning at column 4, line 7, of U.S. Patent 5,094,041 is amended as indicated:

The preferred embodiment of a foldable corrugated plastic roof ventilator is disclosed in U.S. Pat. No. 4,803,813 to Fiterman, the content of that patent disclosure and related documents being incorporated herein by reference. That embodiment has been generally characterized as a "slit-scored" configuration of the roofing ventilator which is cut, scored, and folded from a sheet of double-faced corrugated plastic sheet material. An alternate embodiment of the "slit-scored" roof ventilator, termed the "nick-scored" configuration, has been utilized herein for reference purposes.

Preliminary amendment.

The paragraph beginning at column 4, line 37, of U.S. Patent 5,094,041 is amended as indicated:

Referring to FIGS. 3 and 4, the ridge cap roof ventilator 10 is fabricated from a generally flat or planar section of double-faced corrugated plastic sheet material 28 such as polyethylene, preferably black in color. Referring to FIG. 10, it may be seen that the double-faced corrugated plastic sheet material 28 includes a pair of generally planar spaced-apart liners or plies 30, 32 which are connected by a corrugated or convoluted intermediate ply 34 having a multiplicity of convolutions forming parallel aligned air spaces 36 or partially enclosed channels defining a longitudinal grain G (FIG. 3) to the double-faced corrugated plastic sheet material 28. In some embodiments, the double-faced corrugated plastic sheet material 28 may take on the configuration of a pair of parallel planar plies 30, 32 with a multiplicity of generally perpendicular connecting beams (not shown), due to the particular molding process involved in making the double-faced corrugated plastic sheet material 28 and the tendency of the corrugated intermediate ply to melt together with the planar plies 30, 32.

Amendment shown in redlined attachment.

The paragraph beginning at column 4, line 37, of U.S. Patent 5,094,041 is amended as indicated:

Referring to FIGS. 3 and 4, the ridge cap roof ventilator 10 is fabricated from a generally flat or planar section of double-faced corrugated plastic sheet material 28 such as polyethylene, preferably black in color. Referring to FIG. 10, it may be seen that the double-faced corrugated plastic sheet material 28 includes a pair of generally planar spaced-apart liners or plies 30, 32 which are connected by a corrugated or convoluted intermediate ply 34 having a multiplicity of convolutions forming parallel aligned air spaces 36 or partially enclosed channels defining a longitudinal grain G **(FIG. 3)** to the double-faced corrugated plastic sheet material 28. In some embodiments, the double-faced corrugated plastic sheet material 28 may take on the configuration of a pair of parallel planar plies 30, 32 with a multiplicity of generally perpendicular connecting beams (not shown), due to the particular molding process involved in making the double-faced corrugated plastic sheet material 28 and the tendency of the corrugated intermediate ply to melt together with the planar plies 30, 32.

Preliminary amendment.

The paragraph beginning at column 5, line 14 of U.S. Patent 5,094,041 is amended as indicated:

Referring again to FIG. 4, it may be seen that the end and intermediate panels 44, 46, 48, 50, 52, 54, 56, 58, 60, and 62 of the blank 38 are divided by lengthwise score lines 68 extending along or traversing the length of the blank 38 at a generally perpendicular angle relative to the grain G and the direction of extent of the channels 36. The score lines 68 may be of either the "slit-scored" configuration or "nick-scored" configuration. The "slit-scored" configuration, described more particularly in the Fiterman '813 patent referenced above, is characterized by only one of the planar plies 30, 32 being cut completely therethrough along the entire length of the blank 38. In contrast, the "nick-scored" configuration, shown more particularly in FIGS. 4 and 13, is characterized by both of the planar plies 30, 32 being cut completely therethrough in a plurality of aligned sections similar to enlarged perforations. The sections are separated by short segments 70 in which neither of the planar plies 32, 30 are cut, but are respectively either stretched across the thickness of two sheets or folded backward upon themselves as the adjoining end and intermediate panels 44, 46, 48, 50, 52, 54, 56, 58, 60, and 62 are folded into parallel abutting contact with one another.

Amendment shown in redlined attachment.

The paragraph beginning at column 5, line 14 of U.S. Patent 5,094,041 is amended as indicated:

Referring again to FIG. 4, it may be seen that the end and intermediate panels 44, 46, 48, 50, 52, 54, **56,** 58, 60, and 62 of the blank 38 are divided by lengthwise score lines 68 extending along or traversing the length of the blank 38 at a generally perpendicular angle relative to the grain G and the direction of extent of the channels 36. The score lines 68 may be of either the "slit-scored" configuration or "nick-scored" configuration. The "slit-scored" configuration, described more particularly in the Fiterman '813 patent referenced above, is characterized by only one of the planar plies 30, 32 being cut completely therethrough along the entire length of the blank 38. In contrast, the "nick-scored" configuration, shown more particularly in FIGS. 4 and 13, is characterized by both of the planar plies 30, 32 being cut completely therethrough in a plurality of aligned sections similar to enlarged perforations. The sections are separated by short segments 70 in which neither of the planar plies 32, 30 are cut, but are respectively either stretched across the thickness of two sheets or folded backward upon themselves as the adjoining end and intermediate panels 44, 46, 48, 50, 52, 54, **56,** 58, 60, and 62 are folded into parallel abutting contact with one another.

Preliminary amendment.

The paragraph beginning that column 5, line 45 of U.S. Patent 5,0 94,041 is amended as indicated:

Referring to FIGS. 4-6, it may be seen that each of the end and intermediate panels 44, 46, 48, 50, 52, 54, 56, 58, 60, and 62, as well as the top panel 64 or pair of center panels 65, 66, each define a plurality of oblong vent apertures 72 extending completely therethrough. The vent apertures 72 are spaced-apart and arrayed along straight lines in each of the corresponding panels 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 65, and 66, and are arrayed so as to be aligned transversely across the width of the blank 38 from each panel to the adjacent or adjoining panels 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 65, and 66 such that the vent apertures 72 are generally aligned vertically with and overlap at least a portion of one or more of the other vent apertures 72 when the blank 38 is folded to the completely folded roof ventilator configuration shown in FIGS. 1-3.

Amendment shown in redlined attachment.

The paragraph beginning that column 5, line 45 of U.S. Patent 5,0 94,041 is amended as indicated:

Referring to FIGS. 4-6, it may be seen that each of the end and intermediate panels 44, 46, 48, 50, 52, 54, **56,** 58, 60, and 62, as well as the top panel 64 or pair of center panels 65, 66, each define a plurality of oblong vent apertures 72 extending completely therethrough. The vent apertures 72 are spaced-apart and arrayed along straight lines in each of the corresponding panels 44, 46, 48, 50, 52, 54, **56,** 58, 60, 62, 65, and 66, and are arrayed so as to be aligned transversely across the width of the blank 38 from each panel to the adjacent or adjoining panels 44, 46, 48, 50, 52, 54, **56,** 58, 60, 62, 65, and 66 such that the vent apertures 72 are generally aligned vertically with and overlap at least a portion of one or more of the other vent apertures 72 when the blank 38 is folded to the completely folded roof ventilator configuration shown in FIGS. 1-3.

Preliminary amendment.

The paragraph beginning at column 6, line 15 of U.S. Patent 5,094,041 is amended as indicated:

The pockets 74 may extend throughout the entire height of each of the vent parts 12, or may alternately extend throughout only a portion of the height of each vent part 12 and be disposed centered, closer to the top panel 66, or closer to the roof 16. In the event it is desired that all air passing from the exterior region surrounding the roof ventilator 10 to the interior region 76 through the multiplicity of air passages 36 pass through a pocket 74, it may be suitable to place two staggered lines of vent apertures 72 along each of the panels 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 65, and 66 as shown in FIG. 15 such that each air passage 36 within a desired level or throughout the height of the vent parts 12 is interrupted by at least one, and in some cases two, of the columnar pockets 74 when the panels 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 65, and 66 are completely folded to the roof ventilator configuration.

Amendment shown in redlined attachment.

The paragraph beginning at column 6, line 15 of U.S. Patent 5,094,041 is amended as indicated:

The pockets 74 may extend throughout the entire height of each of the vent parts 12, or may alternately extend throughout only a portion of the height of each vent part 12 and be disposed centered, closer to the top panel 66, or closer to the roof 16. In the event it is desired that all air passing from the exterior region surrounding the roof ventilator 10 to the interior region 76 through the multiplicity of air passages 36 pass through a pocket 74, it may be suitable to place two staggered lines of vent apertures 72 along each of the panels 44, 46, 48, 50, 52, 54, <u>56,</u> 58, 60, 62, 65, and 66 as shown in FIG. 15 such that each air passage 36 within a desired level or throughout the height of the vent parts 12 is interrupted by at least one, and in some cases two, of the columnar pockets 74 when the panels 44, 46, 48, 50, 52, 54, <u>56,</u> 58, 60, 62, 65, and 66 are completely folded to the roof ventilator configuration.

Preliminary amendment.

The paragraph beginning at column 6, line 32 of U.S. Patent 5,094,041 is amended as indicated:

Referring to FIGS. 5 and 6, it may be seen that in some applications it is preferable for the single top panel 64 or pair of center panels 65, 66 to define one or more top openings or apertures 82 either alone or in addition to the vent apertures 72. The top apertures 82 may be disposed in two lines or sets disposed on opposing sides of a centerline crease 84 or fold line in the case of two center panels 65, 66 as shown in FIG. 5, or may alternately be placed in one line centered along a single top panel 64 as shown in FIG. 6.

Amendment shown in redlined attachment.

The paragraph beginning at column 6, line 32 of U.S. Patent 5,094,041 is amended as indicated:

Referring to FIGS. 5 and 6, it may be seen that in some applications it is preferable for the single top panel 64 or pair of center panels 65, 66 to define one or more top openings or apertures 82 either alone or in addition to the vent apertures 72. The top apertures 82 may be disposed in two lines or sets disposed on opposing sides **of** a centerline crease 84 or fold line in the case of two center panels 65, 66 as shown in FIG. 5, or may alternately be placed in one line centered along a single top panel 64 as shown in FIG. 6.

Preliminary amendment.

The paragraph beginning at column 6, line 42 of U.S. Patent 5,094,041 is amended as indicated:

Referring particularly to FIGS. 2 and 7-12, it may be seen that the top panel 64 has a concave recessed area 86 routed into the underside or bottom surface 42 of the top panel 64 facing or confronting the interior region 76 of the roof ventilator along the centerline thereof. The concave recessed area 86 cuts or extends entirely through the planar ply 32 and at varying depths partially or entirely through the convoluted intermediate ply 34.

Amendment shown in redlined attachment.

The paragraph beginning at column 6, line 42 of U.S. Patent 5,094,041 is amended as indicated:

Referring particularly to FIGS. 2 and 7-12, it may be seen that the top panel 64 has a concave recessed area 86 routed into the underside or bottom surface 42 of the top panel 64 facing or confronting the interior region 76 of the roof ventilator along the centerline thereof. The concave recessed area 86 cuts or extends entirely through the planar ply 32 and at varying depths partially or entirely through the convoluted intermediate ply 34.

Preliminary amendment.

The paragraph beginning at column 6, line 51 of U.S. Patent 5,094,041 is amended as indicated:

As may be seen in FIGS. 1-3, this concave recessed area 86 exposes the air passages 36 of the top panel 64 to the interior region 76 so that the top panel 64 may also vent air to the exterior area surrounding the roof ventilator 10. Furthermore, due to the manner in which the convoluted intermediate ply 34 defining the longitudinal grain G and each of the air passages 36 is routed, each one of the convolutions defines a pair of side walls 88, 90 connected together and traversing a generally oval-shaped path and thereby defining a generally oval-shaped opening 92 in each air passage 36 when the blank 38 is inverted and viewed from above as in FIG. 11, and each defining a concave arcuate path when viewed from the side as in FIG. 8. Between the side walls 88, 90 is a generally open area exposed by the oval-shaped opening 92 and which is partially enclosed by the side walls 88, 90 and the planar ply 30. Because the bottom planar ply 32 is completely cut away, the concave recessed area 86 is therefore also generally bounded by two parallel straight side edges 94, 96 of the planar ply 32.

Amendment shown in redlined attachment.

The paragraph beginning at column 6, line 51 of U.S. Patent 5,094,041 is amended as indicated:

As may be seen in FIGS. 1-3, this concave recessed area 86 exposes the air passages 36 of the top panel 64 to the interior region 76 so that the top panel 64 may also vent air to the exterior area surrounding the roof ventilator 10. Furthermore, due to the manner in which the convoluted intermediate ply 34 defining the longitudinal grain G and each of the air passages 36 is routed, each one of the convolutions defines a pair of side walls 88, 90 connected together and traversing a generally oval-shaped path and thereby defining a generally oval-shaped opening 92 in each air passage 36 when the blank 38 is inverted and viewed from above as in FIG. 11, and each defining a concave arcuate path when viewed from the side as in FIG. 8. Between the side walls 88, 90 is a generally open area exposed by the oval-shaped opening 92 and which is partially enclosed by the side walls 88, 90 and the planar ply 30. Because the bottom planar ply 32 is completely cut away, the concave recessed area 86 is therefore also generally bounded by two parallel straight side edges 94, 96 of the planar ply 32.

Preliminary amendment.

The paragraph beginning at column 7, line 4 of U.S. Patent 5,094,041 is amended as indicated:

Referring to FIGS. 8 and 9, it may be seen that because the side walls 88, 90 each traverse the generally concave arcuate path, the top edges of each side wall 88, 90 adjacent to the straight side edges 94, 96 bounding the concave recessed area 86 are preferably disposed at the point where the planar ply 32 would meet the convoluted intermediate ply 34 as the double-faced corrugated plastic sheet material 28 is normally constructed, thereby providing the side walls 88, 90 with their maximum height at points most proximate to the straight side edges 94, 96 and disposed on opposing sides of the generally concave recessed area 86. Conversely, due to the generally concave arcuate path, the top edges of each side wall 88, 90 adjacent to the centerline C of the concave recessed area 86 are preferably disposed near to the point where the convoluted intermediate ply 34 would meet the planar ply 30, thereby providing the side walls 88, 90 with their minimum height at a point closely proximate to the centerline C of the generally concave recessed area 86. As the height of the side walls 88, 90 decreases, the resistance of the corrugated plastic sheet material 28 to bending against the grain of the convoluted intermediate ply 34 will diminish. Consequently, when the two sides of the top panel 64 are bent or flexed as shown in FIG. 9, the top panel 64 will automatically provide a straight and uniform bend or fold along a line defined by the lowest heights of each of the side walls 88, 90 for each of the air passages 36, which are preferably aligned along the centerline C of the generally concave recessed area 86.

Amendment shown in redlined attachment.

The paragraph beginning at column 7, line 4 of U.S. Patent 5,094,041 is amended as indicated:

Referring to FIGS. 8 and 9, it may be seen that because the side walls 88, 90 each traverse the generally concave arcuate path, the top edges of each side wall 88, 90 adjacent to the straight side edges 94, 96 bounding the concave recessed area 86 are preferably disposed at the point where the planar ply 32 would meet the convoluted intermediate ply 34 as the double-faced corrugated plastic sheet material 28 is normally constructed, thereby providing the side walls 88, 90 with their maximum height at points most proximate to the straight side edges 94, 96 and disposed on opposing sides of the generally concave recessed area 86. Conversely, due to the generally concave arcuate path, the top edges of each side wall 88, 90 adjacent to the centerline C of the concave recessed area 86 are preferably disposed near to the point where the convoluted intermediate ply 34 would meet the planar ply 30, thereby providing the side walls 88, 90 with their minimum height at a point closely proximate to the centerline C of the generally concave recessed area 86. As the height of the side walls 88, 90 decreases, the resistance of the corrugated plastic sheet material 28 to bending against the grain of the convoluted intermediate ply 34 will diminish. Consequently, when the two sides of the top panel 64 are bent or flexed as shown in FIG. 9, the top panel 64 will automatically provide a straight and uniform bend or fold along a line defined by the lowest heights of each of the side walls 88, 90 for each of the air passages 36, which are preferably aligned along the centerline C of the generally concave recessed area 86.

Preliminary amendment.

The paragraph beginning at column 7, line 63 of U.S. Patent 5,094,041 is amended as indicated:

While the preferred embodiment of the above ridge cap roof ventilator 10 has been described in detail above with reference to the attached drawing figures, it is understood that various changes and adaptations may be made in the roof ventilator 10 without departing from the spirit and scope of the appended claims.

Amendment shown in redlined attachment.

The paragraph beginning at column 7, line 63 of U.S. Patent 5,094,041 is amended as indicated:

While the preferred embodiment of the above ridge cap roof ventilator 10 has been described in detail above with reference to the attached drawing figures, it is understood that various changes and adaptations may be made in the roof ventilator 10 without departing from the spirit and scope of the appended claims.

Hereinbelow, please find the amendments to the claims made during prosecution of this application.

Claim 16.

Preliminary amendment.

16. A roof ventilator, comprising:

a top panel; and

at least one ventilator section comprising a ventilator first panel,

each said ventilator section configured for parallel abutting contact with the top panel,

the top panel and each said ventilator first panel comprising first and second planar plies and an intermediate ply disposed between the first and second planar plies such that the first and second planar plies and intermediate ply define air passages extending generally transversely to a roof ventilator longitudinal axis,

each said ventilator section and the top panel defining a ventilator interior region and a ventilator exterior region surrounding the roof ventilator,

the top panel defining a recessed area in which the top panel first planar ply and at least a portion of the top panel intermediate ply have been removed, the recessed area being generally arcuate in cross section and exposing at least a portion of the air passages in the top panel such that the ventilator interior region is in fluid communication with the ventilator exterior region through the recessed area and the air passages.

Redlined attachment to preliminary amendment.

16. A roof ventilator, comprising:

a top panel; and

at least one ventilator section comprising a ventilator first panel,

each said ventilator section configured for parallel abutting contact with the top panel,

the top panel and each said ventilator first panel comprising first and second planar plies and an intermediate ply disposed between the first and second planar plies such that the first and second planar plies and intermediate ply define air passages extending generally transversely to a roof ventilator longitudinal axis,

each said ventilator section and the top panel defining a ventilator interior region and a ventilator exterior region surrounding the roof ventilator,

the top panel defining a recessed area in which the top panel first planar ply and at least a portion of the top panel intermediate ply have been removed, the recessed area being generally arcuate in cross section and exposing at least a portion of the air passages in the top panel such that the ventilator interior region is in fluid communication with the ventilator exterior region through the recessed area and the air passages.

Claim 16 as amended 2 May 2003.

16. (Once Amended) A roof ventilator, comprising:

a top panel; and

at least one ventilator section comprising a ventilator first panel,

each said at least one ventilator section configured for parallel abutting contact with the top panel,

the top panel and each said ventilator first panel comprising first and second planar plies and an intermediate ply disposed between the first and second planar plies such that the first and second planar plies and intermediate ply define air passages extending generally transversely to a roof ventilator longitudinal axis,

each said at least one ventilator section and the top panel defining a ventilator interior region and a ventilator exterior region surrounding the roof ventilator,

the top panel defining a recessed area in which the top panel first planar ply and at least a portion of the top panel intermediate ply have been removed, the recessed area being generally arcuate in cross section and exposing at least a portion of the air passages in the top panel such that the ventilator interior region is in fluid communication with the ventilator exterior region through the recessed area and the air passages.

Comments in the Remarks section of the 2 May 2003 amendment described the amendment to claim 16.

Claim 16 is amended to recite "said at least one ventilator section" in lieu of "said ventilator section" to more particularly point out and distinctly claim the subject matter regarded by Applicants as the invention. Applicants respectfully submit that the above substitution does not change the scope of claim 16.

Claim 16 as amended by the 15 September 2003 Office Action.

16. (Currently Amended) A roof ventilator, comprising:

a top panel; and

at least one ventilator section comprising a ventilator first panel and an interconnected ventilator second panel,

each said at least one ventilator section in parallel abutting contact with the top panel,

the top panel and each said ventilator first and second panel comprising first and second planar plies and an intermediate ply disposed between the first and second planar plies such that the first and second planar plies and intermediate ply define a multiplicity of air passages extending generally transversely to a roof ventilator longitudinal axis,

each said at least one ventilator section and the top panel defining a ventilator interior region and a ventilator exterior region surrounding the roof ventilator,

the top panel defining a recessed area in which the top panel first planar ply and at least a portion of the top panel intermediate ply have been removed, the recessed area being generally arcuate in cross section and exposing at least a portion of the air passages in the top panel such that the ventilator interior region is in fluid communication with the ventilator exterior region through the recessed area and the air passages.

In the Remarks section, the 15 September 2003 Amendment explained the amendments to claim 16.

Claim 16 is amended to recite "at least one ventilator section comprising a ventilator first panel and an interconnected ventilator second panel," "each said at least one ventilator section ~~configured for~~ in parallel abutting contact with the top panel," and "the top panel and each said ventilator first and second panel comprising first and second planar plies and an intermediate ply disposed between the first and second plies such that the first and second planar plies and the intermediate ply define a multiplicity of air passages (added portions underlined, deleted portions in strikethrough).

Claim 16 was amended in the 4 June 2004 amendment.

16. (Currently Amended) A roof ventilator, comprising:

a top panel; and

at least one ventilator section comprising a ventilator first panel and an interconnected ventilator second panel,

said at least one ventilator section in parallel abutting contact with the top panel,

the top panel and said ventilator first and second panel comprising first and second planar plies and an intermediate ply disposed between the first and second planar plies such that the first and second planar plies and intermediate ply define a multiplicity of air passages extending generally transversely to a roof ventilator longitudinal axis,

said at least one ventilator section and the top panel defining a ventilator interior region and a ventilator exterior region surrounding the roof ventilator,

the top panel defining a recessed area in which the top panel first planar ply and at least a portion of the top panel intermediate ply have been removed, the recessed area being generally non-linear in cross section and exposing at least a portion of the air passages in the top panel such that the ventilator interior region is in fluid communication with the ventilator exterior region through the recessed area and the air passages.

The foregoing amendment to claim 16 was explained in the remarks section of the 4 June 2004 amendment.

Claim 16 is amended to recite "the recessed area being generally non-linear in cross section" in place of "the recessed area being generally arcuate in cross section," the amendment having support, e.g., in Figures 8, 9 and 12. Claim 16 is further amended to recite "said at least one ventilator section" in place of "each said at least one ventilator section" to more particularly point out and distinctly claim the subject matter regarded as the invention. Claim 16 is yet further amended to recite "said ventilator first and second panel" in lieu of "each said ventilator first and second panel" to more particularly point out and distinctly claim the subject matter regarded as the invention.

Claim 17.
Preliminary amendment.

17. The roof ventilator of claim 21, in which a pair of ventilator sections are present.

Redlined attachment to preliminary amendment.

17. The roof ventilator of claim 21, in which a pair of ventilator sections are present.

Claim 17, as shown in the 15 September 2003 amendment.

17. (Currently Amended) The roof ventilator of claim 16, in which a pair of ventilator sections are present.

The foregoing amendment was explained in the remarks section of the 15 September 2003 amendment as follows:

Claim 17 is amended to depend from claim 16.

Claim 18.

Preliminary Amendment.

18. The roof ventilator of claim 17, each ventilator section further comprising a second panel, each said top panel, first panel and second panel configured for parallel abutting contact, each second panel including first and second planar plies and an intermediate ply disposed between the first and second planar plies such that the first and second planar plies and the intermediate ply define air passages extending generally transversely to the roof ventilator longitudinal axis.

Redlined attachment to preliminary amendment.

18. The roof ventilator of claim 17, each ventilator section further comprising a second panel, each said top panel, first panel and second panel configured for parallel abutting contact, each second panel including first and second planar plies and an intermediate ply disposed between the first and second planar plies such that the first and second planar plies and the intermediate ply define air passages extending generally transversely to the roof ventilator longitudinal axis.

Claim 18 was canceled in the 15 September 2003 amendment.

18. **(Canceled)**

Claim 19.

Preliminary amendment.

19. The roof ventilator of claim 17, each ventilator section further comprising a second panel, each said second panel including first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to the roof ventilator longitudinal axis are defined, the top panel and each said first and second ventilator panel being defined by generally linear series of perforations extending generally parallel to the roof ventilator longitudinal axis.

Redlined attachment to preliminary amendment.

19. The roof ventilator of claim 17, each ventilator section further comprising a second panel, each said second panel including first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to the roof ventilator longitudinal axis are defined, the top panel and each said first and second ventilator panel being defined by generally linear series of perforations extending generally parallel to the roof ventilator longitudinal axis.

Claim 19 was canceled in the 15 September 2003 amendment.

19. (Canceled)

Claim 20.

Preliminary amendment.

20. The roof ventilator of claim 17, each ventilator section further comprising a second panel, each said second ventilator panel including first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to the roof ventilator longitudinal axis are defined, the top panel and each said first and second ventilator panel being defined by a slit extending generally parallel to the roof ventilator longitudinal axis, each said slit extending through the intermediate ply and one of said first and second planar plies.

Redlined attachment to preliminary amendment.

20. The roof ventilator of claim 17, each ventilator section further comprising a second panel, each said second ventilator panel including first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to the roof ventilator longitudinal axis are defined, the top panel and each said first and second ventilator panel being defined by a slit extending generally parallel to the roof ventilator longitudinal axis, each said slit extending through the intermediate ply and one of said first and second planar plies.

Claim 20 was canceled in the 15 September 2003 amendment.

20. **(Canceled)**

Claim 21.

Preliminary amendment.

21. The roof ventilator of claim 17, each ventilator section further comprising a second panel and a third panel, the top panel and each said first panel, second panel, and third panel configured for parallel abutting contact, each said second and third panel including first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to the roof ventilator longitudinal axis are defined.

Redlined attachment to preliminary amendment.

21. The roof ventilator of claim 17, each ventilator section further comprising a second panel and a third panel, the top panel and each said first panel, second panel, and third panel configured for parallel abutting contact, each said second and third panel including first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to the roof ventilator longitudinal axis are defined.

Claim 21 was amended by the 15 September 2003 amendment.

21. (Currently Amended) The roof ventilator of claim 17, each ventilator section further comprising a third panel, the top panel and each said first panel, second panel, and third panel in parallel abutting contact, each said third panel including first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to the roof ventilator longitudinal axis are defined.

The foregoing amendment to claim 21 was explained in the remarks section of the 15 September 2003 amendment.

Claim 21 is amended to delete redundant recitations to "second panel" ("further comprising ~~a second panel and~~ a third panel" and "each said ~~second and~~ third panel") and to recite a more positive relation between the top, first, second, and third panels ("the top panel and each said first panel, second panel, and third panel ~~configured for~~ in parallel abutting contact") (added portions underlined, deleted portions in strikethrough).

Claim 22.

Preliminary amendment.

22. The roof ventilator of claim 17, each ventilator section further comprising a second panel and a third panel, the second panel and third panel including first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to the roof ventilator longitudinal axis are defined, the top panel and each said first, second, and third ventilator section being defined by generally linear series of perforations extending generally parallel to the ventilator longitudinal axis.

Redlined attachment to preliminary amendment.

22. The roof ventilator of claim 17, each ventilator section further comprising a second panel and a third panel, the second panel and third panel including first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to the roof ventilator longitudinal axis are defined, the top panel and each said first, second, and third ventilator section being defined by generally linear series of perforations extending generally parallel to the ventilator longitudinal axis.

Claim 22 was amended by the 15 September 2003 amendment.

22. (Currently Amended) The roof ventilator of claim 17, each ventilator section further comprising a third panel, the third panel including first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to the roof ventilator longitudinal axis are defined, the top panel and each said first, second, and third ventilator panel being defined by generally linear series of perforations extending generally parallel to the ventilator longitudinal axis.

The foregoing amendment to claim 22 was explained in the remarks section of the 15 September 2003 amendment.

Claim 22 is amended to delete redundant recitations to "second panel" ("further comprising ~~a second panel and~~ a third panel, the ~~second panel and~~ third panel including first and second planar plies and an intermediate ply") and to replace "section" with "panel" ("the top panel and each said first, second, and third ventilator ~~section~~ panel being defined by a generally linear series of perforations") (added portions underlined, deleted portions in strikethrough).

Claim 23.

Preliminary Amendment.

23. The roof ventilator of claim 17, each ventilator section further comprising a second panel and a third panel, the second panel and third panel including first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to the roof ventilator longitudinal axis are defined, the top panel and each said first, second, and third ventilator panel being defined by slits extending generally parallel to the roof ventilator longitudinal axis, each said slit formed by severing one of the first and second planar plies and the intermediate ply.

Redlined attachment to preliminary amendment.

23. The roof ventilator of claim 17, each ventilator section further comprising a second panel and a third panel, the second panel and third panel including first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to the roof ventilator longitudinal axis are defined, the top panel and each said first, second, and third ventilator panel being defined by slits extending generally parallel to the roof ventilator longitudinal axis, each said slit formed by severing one of the first and second planar plies and the intermediate ply.

Claim 23 was amended by the 15 September 2003 amendment.

23. (Currently Amended) The roof ventilator of claim 17, each ventilator section further comprising a third panel, the third panel including first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to the roof ventilator longitudinal axis are defined, the top panel and each said first, second, and third ventilator panel being defined by slits extending generally parallel to the roof ventilator longitudinal axis, each of said slits formed by severing one of the first and second planar plies and the intermediate ply.

The foregoing amendment to claim 23 was explained in the remarks section of the 15 September 2003 amendment.

Claim 23 is amended to delete redundant recitations to "second panel" ("further comprising ~~a second panel and~~ a third panel, the ~~second panel and~~ third panel including first and second planar plies") and to recite "each of said ~~slit~~ slits formed by severing one of the first and second planar plies and the intermediate ply" (added portions underlined, deleted portions in strikethrough).

Claim 24.

Preliminary Amendment.

24. The roof ventilator of claim 17, each ventilator section further comprising a second panel, a third panel and a fourth panel, the top panel and each said first, second, third, and fourth panel configured for parallel abutting contact, each said second, third, and fourth panel comprising first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to the roof ventilator longitudinal axis are defined, the top panel and each said first, second, third and fourth panel being defined by perforations extending generally parallel to the roof ventilator longitudinal axis.

Redlined attachment to preliminary amendment.

24. The roof ventilator of claim 17, each ventilator section further comprising a second panel, a third panel and a fourth panel, the top panel and each said first, second, third, and fourth panel configured for parallel abutting contact, each said second, third, and fourth panel comprising first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to the roof ventilator longitudinal axis are defined, the top panel and each said first, second, third and fourth panel being defined by perforations extending generally parallel to the roof ventilator longitudinal axis.

Claim 24 was amended by the 15 September 2003 amendment.

24. (Currently Amended) The roof ventilator of claim 17, each ventilator section further comprising a third panel and a fourth panel, the top panel and each said first, second, third, and fourth panel in parallel abutting contact, each said third and fourth panel comprising first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to the roof ventilator longitudinal axis are defined, the top panel and each said first, second, third and fourth panel being defined by perforations extending generally parallel to the roof ventilator longitudinal axis.

The foregoing amendment to claim 24 was explained in the remarks section of the 15 September 2003 amendment.

Claim 24 is amended to delete a redundant recitation to "second panel" ("further comprising ~~a second panel,~~ a third panel, and a fourth panel") and to recite "each said first, second, third, and fourth panel ~~configured for~~ in parallel abutting contact" (added portions underlined, deleted portions in strikethrough).

Claim 25.

Preliminary amendment.

25. The roof ventilator of claim 17, each ventilator section further comprising a second panel, a third panel and a fourth panel, each second, third, and fourth panel including first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to the roof ventilator longitudinal axis are defined, the top panel and each said first, second, third and fourth panel being defined by slits extending generally parallel to the roof ventilator longitudinal axis.

Redlined attachment to preliminary amendment.

25. The roof ventilator of claim 17, each ventilator section further comprising a second panel, a third panel and a fourth panel, each second, third, and fourth panel including first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to the roof ventilator longitudinal axis are defined, the top panel and each said first, second, third and fourth panel being defined by slits extending generally parallel to the roof ventilator longitudinal axis.

Claim 25 was amended by the 15 September 2003 amendment.

25. (Currently Amended) The roof ventilator of claim 17, each ventilator section further comprising a third panel and a fourth panel, each said fourth panel including first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to the roof ventilator longitudinal axis are defined, the top panel and each said first, second, third and fourth panel being defined by slits extending generally parallel to the roof ventilator longitudinal axis.

The foregoing amendment to claim 25 was explained in the remarks section of the 15 September 2003 amendment.

Claim 25 is amended to delete a redundant recitation to "second panel" ("further comprising ~~a second panel,~~ a third panel and a fourth panel") and to recite "each ~~second~~ said third and fourth panel including first and second planar plies ...." (added portions underlined, deleted portions in strikethrough).

Claim 26.

Preliminary amendment.

26. The roof ventilator of claim 17, each ventilator section further comprising a second panel, a third panel and a fourth panel, each said second, third, and fourth panel including first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to the roof ventilator longitudinal axis are defined, the top panel and each said first, second, third and fourth panel being defined by slits extending generally parallel to the roof ventilator longitudinal axis, the slits formed by severing one of the first and second planar plies and the intermediate ply.

Redlined attachment to preliminary amendment.

26. The roof ventilator of claim 17, each ventilator section further comprising a second panel, a third panel and a fourth panel, each said second, third, and fourth panel including first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to the roof ventilator longitudinal axis are defined, the top panel and each said first, second, third and fourth panel being defined by slits extending generally parallel to the roof ventilator longitudinal axis, the slits formed by severing one of the first and second planar plies and the intermediate ply.

Claim 26 was amended by the 15 September 2003 amendment.

26. (Currently Amended) The roof ventilator of claim 17, each ventilator section further comprising a third panel and a fourth panel, each said third and fourth panel including first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to the roof ventilator longitudinal axis are defined, the top panel and each said first, second, third and fourth panel being defined by slits extending generally parallel to the roof ventilator longitudinal axis, the slits formed by severing one of the first and second planar plies and the intermediate ply.

The foregoing amendment to claim 26 was explained in the remarks section of the 15 September 2003 amendment.

Claim 26 is amended to delete redundant recitations to "second panel" ("further comprising ~~a second panel,~~ a third panel and a fourth panel, each said ~~second,~~ third and fourth panel including ...") (added portions underlined, deleted portions in strikethrough).

Claim 27.

Preliminary amendment.

27. The roof ventilator of claim 17, in which the ventilator section air passages and the top panel air passages extend generally perpendicularly to the roof ventilator longitudinal axis.

Redlined attachment to preliminary amendment.

27. The roof ventilator of claim 17, in which the ventilator section air passages and the top panel air passages extend generally perpendicularly to the roof ventilator longitudinal axis.

Claim 28.

Preliminary amendment.

28. The roof ventilator of claim 17, in which the portion of the top panel first planar ply adjoining the recessed area defines a generally linear recessed area edge.

Redlined attachment to preliminary amendment.

28. The roof ventilator of claim 17, in which the portion of the top panel first planar ply adjoining the recessed area defines a generally linear recessed area edge.

Claim 29.

Preliminary amendment.

29. The roof ventilator of claim 17, in which the recessed area generally coincides with a longitudinal axis of the top panel.

Redlined attachment to preliminary amendment.

29. The roof ventilator of claim 17, in which the recessed area generally coincides with a longitudinal axis of the top panel.

Claim 30.

Preliminary amendment.

30. The roof ventilator of claim 17, in which the intermediate plies within the top panel recessed area define a generally oval-shaped path.

Redlined attachment to preliminary amendment.

30. The roof ventilator of claim 17, in which the intermediate plies within the top panel recessed area define a generally oval-shaped path.

Claim 30 was amended in the 17 February 2006 amendment.

30. (Amended) The roof ventilator of claim 17, in which the intermediate ply within the top panel recessed area defines a generally oval-shaped path.

The foregoing amendment was explained in the remarks section of the 17 February 2006 amendment.

30. (Amended) The roof ventilator of claim 17, in which the intermediate ~~plies~~ ply within the top panel recessed area ~~define~~ defines a generally oval-shaped path.

Claim 31.

Preliminary Amendment.

31. The roof ventilator of claim 17, in which the intermediate plies within the top panel recessed area define a generally nonlinear path.

Redlined attachment to preliminary amendment.

31. The roof ventilator of claim 17, in which the intermediate plies within the top panel recessed area define a generally nonlinear path.

Claim 31 was amended by the 17 February 2006 amendment.

31. (Amended) The roof ventilator of claim 17, in which the intermediate ply within the top panel recessed area defines a generally nonlinear path.

The foregoing amendment was explained in the remarks section of the 17 February 2006 amendment.

31. (Amended) The roof ventilator of claim 17, in which the intermediate ~~plies~~ **ply** within the top panel recessed area ~~define~~ **defines** a generally nonlinear path.

Claim 32.

Preliminary amendment.

32. The roof ventilator of claim 17, the recessed area being bounded by edges, the intermediate plies within the top panel recessed area having a minimum height and a maximum height, the minimum height being disposed where all or a maximum portion of the intermediate ply has been removed, the maximum height being adjacent each said edge of the recessed area.

Redlined attachment to preliminary amendment.

32. The roof ventilator of claim 17, the recessed area being bounded by edges, the intermediate plies within the top panel recessed area having a minimum height and a maximum height, the minimum height being disposed where all or a maximum portion of the intermediate ply has been removed, the maximum height being adjacent each said edge of the recessed area.

Claim 33.

Preliminary amendment.

33. The roof ventilator of claim 37, in which the intermediate ply minimum height generally coincides with a top panel longitudinal axis.

Redlined attachment to preliminary amendment.

33. The roof ventilator of claim 37, in which the intermediate ply minimum height generally coincides with a top panel longitudinal axis.

Claim 33 was amended by the 15 September 2003 amendment.

33. (Currently Amended) The roof ventilator of claim 32, in which the intermediate ply minimum height generally coincides with a top panel longitudinal axis.

The foregoing amendment to claim 33 was explained in the remarks section of the 15 September 2003 amendment.

Claim 33 is amended to depend from claim 32.

Claim 34.

Preliminary amendment.

34. A roof in combination with the roof ventilator of claim 17, the roof with a peak and an opening generally coinciding with the roof peak, the roof ventilator attached to the roof such that air from inside the roof can pass from the ventilator interior region, through the roof ventilator, and into the roof ventilator exterior region, via the roof ventilator top panel air passages and each said ventilator section air passages.

Redlined attachment to preliminary amendment.

34. A roof in combination with the roof ventilator of claim 17, the roof with a peak and an opening generally coinciding with the roof peak, the roof ventilator attached to the roof such that air from inside the roof can pass from the ventilator interior region, through the roof ventilator, and into the roof ventilator exterior region, via the roof ventilator top panel air passages and each said ventilator section air passages.

This amendment.

34. (Amended) A roof in combination with the roof ventilator of claim 17, the roof with a peak and an opening generally coinciding with the roof peak, the roof ventilator attached to the roof such that air from inside the roof can pass from the ventilator interior region, through the roof ventilator, and into the roof ventilator exterior region, via the roof ventilator top panel air passages and each said ventilator section air passage.

Explanation of the amendment to claim 34 in this amendment.

Claim 34 is recited below showing the amendment correcting a grammatical error and not adding new matter to this application.

34. A roof in combination with the roof ventilator of claim 17, the roof with a peak and an opening generally coinciding with the roof peak, the roof ventilator attached to the roof such that air from inside the roof can pass from the ventilator interior region, through the roof ventilator, and into the roof ventilator exterior region, via the roof ventilator top panel air passages and each said ventilator section air ~~passages~~ passage.

Claim 35.

Preliminary amendment.

35. A method of ventilating a building attic, the method comprising:

placing a vent over a roof opening such that air can pass from the attic, through the ventilator to outside the attic, the vent comprising:

a top panel comprising first and second planar plies and an intermediate ply disposed between the first and second planar plies, the first and second planar plies and second panel intermediate ply defining air passages extending generally transversely to the roof ventilator longitudinal axis, and

a pair of ventilator sections, each said ventilator section configured for parallel abutting contact with a first surface of the top panel and comprising a first panel, each first panel comprising first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to a roof ventilator longitudinal axis are defined,

the top panel and each said ventilator section defining a ventilator interior region and the top panel defining a ventilator exterior region, the ventilator interior region generally bounded by the ventilator sections and one of the top panel planar plies, the ventilator exterior region bounded by the other of the top panel planar plies,

the top panel defining an area generally arcuate in cross section in which the top panel first planar ply and at least a portion of the top panel intermediate ply have been removed, the recessed area exposing at least a portion of the air passages in the top panel such that the ventilator interior region is in fluid communication with the ventilator exterior region through the air passages; and

attaching the roof ventilator to the roof.

Redlined attachment to preliminary amendment.

35. A method of ventilating a building attic, the method comprising:

placing a vent over a roof opening such that air can pass from the attic, through the ventilator to outside the attic, the vent comprising:

a top panel comprising first and second planar plies and an intermediate ply disposed between the first and second planar plies, the first and second planar plies and second panel intermediate ply defining air passages extending generally transversely to the roof ventilator longitudinal axis, and

a pair of ventilator sections, each said ventilator section configured for parallel abutting contact with a first surface of the top panel and comprising a first panel, each first panel comprising first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to a roof ventilator longitudinal axis are defined,

the top panel and each said ventilator section defining a ventilator interior region and the top panel defining a ventilator exterior region, the ventilator interior region generally bounded by the ventilator sections and one of the top panel planar plies, the ventilator exterior region bounded by the other of the top panel planar plies,

the top panel defining an area generally arcuate in cross section in which the top panel first planar ply and at least a portion of the top panel intermediate ply have been removed, the recessed area exposing at least a portion of the air passages in the top panel such that the ventilator interior region is in fluid communication with the ventilator exterior region through the air passages; and

attaching the roof ventilator to the roof.

Claim 35 was shown as withdrawn from consideration in the 15 September 2003 amendment.

35. (Withdrawn) A method of ventilating a building attic, the method comprising:

placing a vent over a roof opening such that air can pass from the attic, through the ventilator to outside the attic, the vent comprising:

a top panel comprising first and second planar plies and an intermediate ply disposed between the first and second planar plies, the first and second planar plies and second panel intermediate ply defining air passages extending generally transversely to the roof ventilator longitudinal axis, and

a pair of ventilator sections, each said ventilator section configured for parallel abutting contact with a first surface of the top panel and comprising a first panel, each first panel comprising first and second planar plies and an intermediate ply disposed between the first and second planar plies such that air passages extending generally transversely to a roof ventilator longitudinal axis are defined,

the top panel and each said ventilator section defining a ventilator interior region and the top panel defining a ventilator exterior region, the ventilator interior region generally bounded by the ventilator sections and one of the top panel planar plies, the ventilator exterior region bounded by the other of the top panel planar plies,

the top panel defining an area generally arcuate in cross section in which the top panel first planar ply and at least a portion of the top panel intermediate ply have been removed, the recessed area exposing at least a portion of the air passages in the top panel such that the ventilator interior region is in fluid communication with the ventilator exterior region through the air passages; and

attaching the roof ventilator to the roof.

The 4 April 2006 amendment canceled claim 35.

Please cancel claims 35-48 and 61-70 without prejudice, Applicants reserving the right to prosecute these claims in subsequent continuation or divisional applications.

Claim 36.

Preliminary amendment.

36. The method of claim 35, in which attaching the roof ventilator to the roof comprises driving fasteners through the ventilator sections into the roof.

Redlined attachment to preliminary amendment.

36. The method of claim 35, in which attaching the roof ventilator to the roof comprises driving fasteners through the ventilator sections into the roof.

Claim 36 was shown as withdrawn from consideration in the 15 September 2003 Amendment.

36. (Withdrawn) The method of claim 35, in which attaching the roof ventilator to the roof comprises driving fasteners through the ventilator sections into the roof.

The 4 April 2006 amendment canceled claim 36.

Please cancel claims 35-48 and 61-70 without prejudice, Applicants reserving the right to prosecute these claims in subsequent continuation or divisional applications.

Claim 37.

Preliminary amendment.

37. The method of claim 35, in which attaching the roof ventilator to the roof comprises driving nails through the ventilator sections into the roof.

Redlined attachment to preliminary amendment.

37. The method of claim 35, in which attaching the roof ventilator to the roof comprises driving nails through the ventilator sections into the roof.

Claim 37 was shown as withdrawn from consideration in the 15 September 2003 amendment.

37. (Withdrawn) The method of claim 35, in which attaching the roof ventilator to the roof comprises driving nails through the ventilator sections into the roof.

The 4 April 2006 canceled claim 37.

Please cancel claims 35-48 and 61-70 without prejudice, Applicants reserving the right to prosecute these claims in subsequent continuation or divisional applications.

Claim 38.

Preliminary amendment.

38. The method of claim 35, further comprising covering the roof ventilator with shingles.

Redlined attachment to preliminary amendment.

38. The method of claim 35, further comprising covering the roof ventilator with shingles.

Claim 38 was shown as withdrawn from consideration in the 15 September 2003 amendment.

38. (Withdrawn) The method of claim 35, further comprising covering the roof ventilator with shingles.

The 4 April 2006 amendment canceled claim 38.

Please cancel claims 35-48 and 61-70 without prejudice, Applicants reserving the right to prosecute these claims in subsequent continuation or divisional applications.

Claim 39.

Preliminary amendment.

39. The method of claim 35, further comprising covering the roof ventilator with tiles.

Redlined attachment to preliminary amendment.

39. The method of claim 35, further comprising covering the roof ventilator with tiles.

Claim 39 was shown as withdrawn from consideration in the 15 September 2003 amendment.

39. (Withdrawn) The method of claim 35, further comprising covering the roof ventilator with tiles.

The 4 April 2006 amendment canceled claim 39.

Please cancel claims 35-48 and 61-70 without prejudice, Applicants reserving the right to prosecute these claims in subsequent continuation or divisional applications.

Claim 40.

Preliminary amendment.

40. A method of making a roof ventilator, comprising:

providing a quantity of material comprising first and second planar plies and an intermediate ply, the first and second planar plies and second intermediate ply defining a multiplicity of air passages;

forming a top panel and a pair of ventilator section first panels from the material such that the air passages extend generally transversely to a top panel longitudinal axis; and

defining a recessed area by removing a portion of the top panel, the recessed area being generally arcuate in cross section.

Redlined attachment to preliminary amendment.

40. A method of making a roof ventilator, comprising:

providing a quantity of material comprising first and second planar plies and an intermediate ply, the first and second planar plies and second intermediate ply defining a multiplicity of air passages;

forming a top panel and a pair of ventilator section first panels from the material such that the air passages extend generally transversely to a top panel longitudinal axis; and

defining a recessed area by removing a portion of the top panel, the recessed area being generally arcuate in cross section.

Claim 40 was shown as being withdrawn from consideration in the 15 September 2003 amendment.

40. (Withdrawn) A method of making a roof ventilator, comprising:

providing a quantity of material comprising first and second planar plies and an intermediate ply, the first and second planar plies and second intermediate ply defining a multiplicity of air passages;

forming a top panel and a pair of ventilator section first panels from the material such that the air passages extend generally transversely to a top panel longitudinal axis; and

defining a recessed area by removing a portion of the top panel, the recessed area being generally arcuate in cross section.

The 4 April 2006 amendment canceled claim 40.

Please cancel claims 35-48 and 61-70 without prejudice, Applicants reserving the right to prosecute these claims in subsequent continuation or divisional applications.

Claim 41.

Preliminary amendment.

41. The method of claim 40, in which a generally linear recessed area is defined.

Redlined attachment to preliminary amendment.

41. The method of claim 40, in which a generally linear recessed area is defined.

Claim 41 was shown as withdrawn from consideration in the 15 September 2003 amendment.

41. (Withdrawn) The method of claim 40, in which a generally linear recessed area is defined.

The 4 April 2006 amendment canceled claim 41.

Please cancel claims 35-48 and 61-70 without prejudice, Applicants reserving the right to prosecute these claims in subsequent continuation or divisional applications.

Claim 42.

Preliminary amendment.

42. The method of claim 41, in which defining the recessed area comprises removing the first planar ply and a portion of the intermediate ply.

Redlined attachment to preliminary amendment.

42. The method of claim 41, in which defining the recessed area comprises removing the first planar ply and a portion of the intermediate ply.

Claim 42 was shown as withdrawn from consideration in the 15 September 2003 amendment.

42. (Withdrawn) The method of claim 41, in which defining the recessed area comprises removing the first planar ply and a portion of the intermediate ply.

The 4 April 2006 amendment canceled claim 42.

Please cancel claims 35-48 and 61-70 without prejudice, Applicants reserving the right to prosecute these claims in subsequent continuation or divisional applications.

Claim 43.

Preliminary amendment.

43. The method of claim 42, in which the recessed area substantially coincides with a top panel longitudinal axis.

Redlined attachment to claim 43.

43. The method of claim 42, in which the recessed area substantially coincides with a top panel longitudinal axis.

Claim 43 was shown as withdrawn from consideration in the 15 September 2003 amendment.

43. (Withdrawn) The method of claim 42, in which the recessed area substantially coincides with a top panel longitudinal axis.

The 4 April 2006 amendment canceled claim 43.

Please cancel claims 35-48 and 61-70 without prejudice, Applicants reserving the right to prosecute these claims in subsequent continuation or divisional applications.

Claim 44.

Preliminary amendment.

44. The method of claim 42, further comprising forming a pair of ventilator section second panels from the material such that the air passages extend generally transversely to ventilator section longitudinal axis.

Redlined attachment to preliminary amendment.

44. The method of claim 42, further comprising forming a pair of ventilator section second panels from the material such that the air passages extend generally transversely to ventilator section longitudinal axis.

Claim 44 was shown as withdrawn from consideration in the 15 September 2003 amendment.

44. (Withdrawn) The method of claim 42, further comprising forming a pair of ventilator section second panels from the material such that the air passages extend generally transversely to ventilator section longitudinal axis.

The 4 April 2006 amendment canceled claim 44.

Please cancel claims 35-48 and 61-70 without prejudice, Applicants reserving the right to prosecute these claims in subsequent continuation or divisional applications.

Claim 45.

Preliminary amendment.

45. The method of claim 41, in which the top panel and ventilator section first panels are formed by generally linear series of perforations, the ventilator section first panels hinged to the top panel at the perforations.

Redlined attachment to preliminary amendment.

45. The method of claim 41, in which the top panel and ventilator section first panels are formed by generally linear series of perforations, the ventilator section first panels hinged to the top panel at the perforations.

Claim 45 was shown as withdrawn from consideration in the 15 September 2003 amendment.

45. (Withdrawn) The method of claim 41, in which the top panel and ventilator section first panels are formed by generally linear series of perforations, the ventilator section first panels hinged to the top panel at the perforations.

The 4 April 2006 amendment canceled claim 45.

Please cancel claims 35-48 and 61-70 without prejudice, Applicants reserving the right to prosecute these claims in subsequent continuation or divisional applications.

Claim 46.

Preliminary amendment.

46. The method of claim 41, in which the top panel and ventilator section first panels are formed by slits extending through the second planar ply and the intermediate ply, the ventilator section first panels hinged to the top panel by the intact first planar ply adjacent the slits.

Redlined attachment to preliminary amendment.

46. The method of claim 41, in which the top panel and ventilator section first panels are formed by slits extending through the second planar ply and the intermediate ply, the ventilator section first panels hinged to the top panel by the intact first planar ply adjacent the slits.

Claim 46 was shown as withdrawn from consideration in the 15 September 2003 amendment.

46. (Withdrawn) The method of claim 41, in which the top panel and ventilator section first panels are formed by slits extending through the second planar ply and the intermediate ply, the ventilator section first panels hinged to the top panel by the intact first planar ply adjacent the slits.

The 4 April 2006 amendment canceled claim 46.

Please cancel claims 35-48 and 61-70 without prejudice, Applicants reserving the right to prosecute these claims in subsequent continuation or divisional applications.

Claim 47.

Preliminary amendment.

47. The method of claim 44, in which the ventilator section second panels are formed by generally linear series of perforations, the ventilator second panels hinged to the ventilator first panels at said perforations.

Redlined attachment to preliminary amendment.

47. The method of claim 44, in which the ventilator section second panels are formed by generally linear series of perforations, the ventilator second panels hinged to the ventilator first panels at said perforations.

Claim 47 was shown as withdrawn from consideration in the 15 September 2003 amendment.

47. (Withdrawn) The method of claim 44, in which the ventilator section second panels are formed by generally linear series of perforations, the ventilator second panels hinged to the ventilator first panels at said perforations.

The 4 April 2006 amendment canceled claim 47.

Please cancel claims 35-48 and 61-70 without prejudice, Applicants reserving the right to prosecute these claims in subsequent continuation or divisional applications.

Claim 48.

Preliminary amendment.

48. The method of claim 44, in which the ventilator section second panels are formed by slits extending through one of said planar plies and the intermediate ply.

Redlined attachment to preliminary amendment.

48. The method of claim 44, in which the ventilator section second panels are formed by slits extending through one of said planar plies and the intermediate ply.

Claim 48 was shown as withdrawn from consideration in the 15 September 2003 amendment.

48. (Withdrawn) The method of claim 44, in which the ventilator section second panels are formed by slits extending through one of said planar plies and the intermediate ply.

The 4 April 2006 amendment canceled claim 48.

Please cancel claims 35-48 and 61-70 without prejudice, Applicants reserving the right to prosecute these claims in subsequent continuation or divisional applications.

Claim 49.

Added by the 2 May 2003 amendment.

49. (New) A ventilator for a roof peak, comprising first and second ventilator sections generally symmetrically extending outboard from a substantially longitudinal center line, each of said first and second ventilator sections comprising at least one layer, the at least one layer defining a multiplicity of air passages and a plurality of apertures, each of said air passages conducting air from inside the roof peak to outside the roof peak, each of said apertures extending generally transversely with respect to the multiplicity of air passages, each of said apertures further extending substantially through said at least one layer.

Claim 49 was shown as withdrawn from consideration in the 15 September 2003 amendment.

49. (Currently Amended) A ventilator for a roof peak, comprising first and second ventilator sections generally symmetrically extending outboard from a substantially longitudinal center line, each of said first and second ventilator sections comprising interconnected first and second panels, each of said first and second panels comprising a corrugated material defining a multiplicity of air passages and a plurality of apertures, each said first panel and second panel in a contacting stacked relationship, each of said air passages conducting air from inside the roof peak to outside the roof peak, each of said apertures extending generally transversely with respect to the multiplicity of air passages, each of said apertures further extending substantially through said first and second layers so as to interrupt at least a portion of said multiplicity of air passages.

The foregoing amendment to claim 49 was explained in the remarks section of the 15 September 2003 amendment.

Claim 49 is amended to recite "each of said first and second ventilator sections comprising ~~at least one layer~~ interconnected first and second panels, each of said first and second panels comprising a corrugated material defining a multiplicity of air passages and a plurality of apertures, ~~the at least one layer defining a multiplicity of air passages and a plurality of apertures~~," and "each of said apertures further extending substantially through said ~~at least one layer~~ first and second layers so as to interrupt at least a portion of said multiplicity of air passages" (added portions underlined, deleted portions in strikethrough).

Claim 49 was amended by the 4 June 2004 amendment.

49. (Currently Amended) A ventilator for a roof peak, comprising first and second ventilator sections generally symmetrically extending outboard from a substantially longitudinal center line, each of said first and second ventilator sections comprising interconnected first and second panels, each of said first and second panels comprising a corrugated material defining a multiplicity of air passages and a plurality of apertures, each said first panel and second panel in a contacting stacked relationship, each of said air passages conducting air from inside the roof peak to outside the roof peak, each of said apertures extending generally transversely with respect to the multiplicity of air passages, each of said apertures further extending substantially through said first and second panels so as to interrupt at least a portion of said multiplicity of air passages.

The foregoing amendment to claim 49 is explained in the remarks section of the 4 June 2004 amendment.

Claim 49 is amended to recite "said first and second panels" in place of "said first and second layers" to more particularly point out and distinctly claim the subject matter regarded as the invention.

Claim 50.

Added by the 2 May 2003 amendment.

50. (New) The ventilator of claim 49, in which each of said first and second ventilator sections comprises a first layer and a second layer, the first and second layers being in a stacked relationship.

Claim 50 was canceled in the 15 September 2003 amendment.

50. (Canceled)

Claim 51.

Added by the 2 May 2003 amendment.

51. (New) The ventilator of claim 50, in which each of said pluralities of first layer apertures is generally aligned with a corresponding one of said second layer apertures.

Claim 51 was amended in the 15 September 2003 amendment, but incorrectly designated as "previously presented."

51. (Previously Presented) The ventilator of claim 49, in which each of said pluralities of first layer apertures is generally aligned with a corresponding one of said second layer apertures.

However, the foregoing amendment to claim 51 was explained in the remarks section of the 15 September 2003 amendment.

Claim 51 is amended to depend from claim 49.

Claim 51 was amended by the 4 June 2004 amendment.

51. (Currently Amended) The ventilator of claim 49, in which said pluralities of first layer apertures are generally aligned with a corresponding one of said second layer apertures.

The foregoing amendment to claim 51 was explained in the remarks section of the 4 June 2004 amendment. However, the sentence referenced claim 50 in stead of claim 51. Claim 50 had been previously canceled.

Claim 50 is amended to recite "in which said pluralities of first layer apertures are generally aligned" in place of "in which each of said pluralities of first layer apertures are generally aligned" to more particularly point out and distinctly claim the subject matter regarded as the invention.

Claim 51 was amended by a 4 April 2005 amendment.

51. (Currently Amended) The ventilator of claim 49, in which said pluralities of first panel apertures are generally aligned with a corresponding one of said second panel apertures.

The foregoing amendment to claim 51 was explained in the remarks section of the 4 April 2004 amendment.

As amended, claim 51 now recites (deleted subject matter enclosed in brackets and inserted subject matter in italics).

51. (Currently Amended) The ventilator of claim 49, in which said pluralities of first [layer] *panel* apertures are generally aligned with a corresponding one of said second [layer] *panel* apertures.

Claims 51 and 52 are amended to recite first and second "panel apertures," in place of first and second "layer apertures," the former limitation having antecedent basis in claim 49. Applicants submit that providing antecedent basis does not narrow the scope of claim 51.

Claim 52.

Added by the 2 May 2003 amendment.

52. (New) The ventilator of claim 51, in which the first and second layers are longitudinally interconnected.

Claim 52 was amended by a 4 April 2005 amendment.

52. (Currently Amended) The ventilator of claim 51, in which the first and second panels are longitudinally interconnected.

The foregoing amendment to claim 52 was explained in the remarks section of the 4 April 2004 amendment.

52. (Currently Amended) The ventilator of claim 51, in which the first and second [layers] *panels* are longitudinally interconnected.

Claims 51 and 52 are amended to recite first and second "panel apertures," in place of first and second "layer apertures," the former limitation having antecedent basis in claim 49.

Claim 53.

Added by the 2 May 2003 amendment.

53. (New) The ventilator of claim 49, in which a portion of said multiplicity of air passages is interrupted by said plurality of apertures.

Claim 53 was canceled in the 15 September 2003 amendment.

53. (Canceled)

Claim 54.

Added by the 2 May 2003 amendment.

54. (New) The ventilator of claim 49, in which substantially all of said multiplicity of air passages is interrupted by said plurality of apertures.

Claim 55.

Added by the 2 May 2003 amendment.

55. (New) The ventilator of claim 54, in which said multiplicity of air passages are defined by a corrugated sheet material.

Claim 55 was canceled in the 15 September 2003 amendment.

55. (Canceled)

Claim 56.

Added by the 2 May 2003 amendment.

56. (New) The ventilator of claim 55, in which the corrugated sheet material comprises plastic.

Claim 56 was amended in the 15 September 2003 amendment.

56. (Currently Amended) The ventilator of claim 54, in which the corrugated sheet material comprises plastic.

The foregoing amendment to claim 56 was explained in the remarks of the 15 September 2003 amendment.

Claim 56 is amended to depend from claim 54.

Claim 56 was amended by the 17 February 2006 amendment.

56. (Twice Amended) The ventilator of claim 54, in which the corrugated material comprises plastic.

The foregoing amendment to claim 56 is explained in the remarks section of the 17 February 2006 amendment.

56. (Twice Amended) The ventilator of claim 54, in which the corrugated ~~sheet~~ material comprises plastic.

Claim 57.

Added by the 2 May 2003 amendment.

57. (New) The ventilator of claim 56, in which each of said first and second ventilator sections comprises a plurality of interconnected ventilator section layers.

Claim 57 was canceled in the 15 September 2003 amendment.

57. (Canceled)

Claim 58.

Added by the 2 May 2003 amendment.

58. (New) The ventilator of claim 57, in which each said plurality of interconnected ventilator sections are interconnected by slit-scoring.

Claim 58 was amended in the 15 September 2003 amendment.

58. (Currently Amended) The ventilator of claim 56, in which each said first and second panels are interconnected by slit-scoring.

The foregoing amendment to claim 58 was explained in the remarks section of the 15 September 2003 amendment.

Claim 58 is amended to depend from claim 56 and to recite "each said ~~plurality of interconnected ventilator sections~~ first and second panels are interconnected by slip-scoring" (added portions underlined, deleted portions in strikethrough).

Claim 58 was amended by the 17 February 2006 amendment.

58. (Twice Amended) The ventilator of claim 56, in which each of said first and second panels is interconnected by slit-scoring.

The foregoing amendment to claim 58 is explained in the remarks section of the 17 February 2006 amendment.

58. (Twice Amended) The ventilator of claim 56, in which each of said first and second panels ~~are~~ is interconnected by slit-scoring.

Claim 59.

Added by the 2 May 2003 amendment.

59. (New) The ventilator of claim 57, in which each said plurality of interconnected ventilator sections are interconnected by nick-scoring.

Claim 59 was amended in the 15 September 2003 amendment.

59. (Currently Amended) The ventilator of claim 57, in which each said first and second panels are interconnected by nick-scoring.

The foregoing amendment to claim 59 was explained in the remarks section of the 15 September 2003 amendment.

Claim 59 is amended to recite "said ~~plurality of interconnected ventilator sections~~ first and second panels" (added portions underlined, deleted portions in strikethrough).

Claim 59 was amended by the 4 June 2004 amendment.

59. (Currently Amended The ventilator of claim 56, in which each said first and second panels are interconnected by nick-scoring.

The foregoing amendment to claim 59 was explained in the remarks section of the 4 June 2004 amendment.

Claim 59 is amended to depend from claim 56 rather than from cancelled claim 57.

Claim 59 was amended by the 17 February 2006 amendment.

59. (Twice Amended) The ventilator of claim 56, in which each said of first and second panels is interconnected by nick-scoring.

The foregoing amendment to claim 59 is explained in the remarks section of the 17 February 2006 amendment.

59. (Twice Amended) The ventilator of claim 56, in which each said of first and second panels ~~are~~ is interconnected by nick-scoring.

Claim 60.

Added by the 2 May 2003 Amendment.

60. (New) A roof comprising the ventilator of claim 49 operationally present at a peak of said roof.

Claim 60 was amended by the 15 September 2003 amendment.

60. (Currently Amended) A roof comprising the ventilator of claim 49 operably present at a peak of said roof.

The foregoing amendment to claim 60 was explained in the remarks section of the 15 September 2003 amendment.

Claim 60 is amended to recite "operably" in lieu of "operationally."

Claim 60 was amended by the 17 February 2006 amendment.

60. **(Twice Amended)** A roof comprising the ventilator of claim 49 operably present at the peak of said roof.

The foregoing amendment to claim 60 was explained in the remarks section of the 17 February 2006 amendment.

60. **(Twice Amended) A roof comprising the ventilator of claim 49 operably present at a the peak of said roof.**

Claim 61.

Added by the 2 May 2003 amendment.

61. (New) A process of forming a ventilator for a peak of a roof, comprising forming a pair of ventilator sections extending generally symmetrically from a ventilator centerline, each of said pair of ventilator sections comprising a multiplicity of air passages conveying air from inside the roof peak to outside the roof peak, each of said pair of ventilator sections further comprising a plurality of apertures, a portion of said multiplicity of air passages interrupted by said plurality of apertures, each of said apertures extending substantially transversely with respect to said multiplicity of air passages.

Claim 61 was withdrawn from consideration by the 15 September 2003 amendment.

61. (Withdrawn) A process of forming a ventilator for a peak of a roof, comprising forming a pair of ventilator sections extending generally symmetrically from a ventilator centerline, each of said pair of ventilator sections comprising a multiplicity of air passages conveying air from inside the roof peak to outside the roof peak, each of said pair of ventilator sections further comprising a plurality of apertures, a portion of said multiplicity of air passages interrupted by said plurality of apertures, each of said apertures extending substantially transversely with respect to said multiplicity of air passages.

The 4 April 2006 amendment canceled claim 61.

Please cancel claims 35-48 and 61-70 without prejudice, Applicants reserving the right to prosecute these claims in subsequent continuation or divisional applications.

Claim 62.

Added by the 2 May 2003 amendment.

62. (New) The process of claim 61, in which each of said pair of ventilator sections comprises a first ventilator section layer and a second ventilator section layer and in which said first and second ventilator section layers are formed so that each of said plurality of apertures formed in the first ventilator section layer aligns with one of said plurality of vent apertures formed in the second ventilator section layer.

Claim 62 was withdrawn from consideration by the 15 September 2003 amendment.

62. (Withdrawn) The process of claim 61, in which each of said pair of ventilator sections comprises a first ventilator section layer and a second ventilator section layer and in which said first and second ventilator section layers are formed so that each of said plurality of apertures formed in the first ventilator section layer aligns with one of said plurality of vent apertures formed in the second ventilator section layer.

The 4 April 2006 amendment canceled claim 62.

Claim 63.

Added by the 2 May 2003 amendment.

63. (New) The process of claim 61, in which each of said pair of ventilator sections comprises a plurality of longitudinally interconnected ventilator section layers and in which forming said pair of ventilator sections comprises disposing said ventilator section layers in a stacked relationship.

Claim 63 was withdrawn from consideration by the 15 September 2003 amendment.

63. (Withdrawn) The process of claim 61, in which each of said pair of ventilator sections comprises a plurality of longitudinally interconnected ventilator section layers and in which forming said pair of ventilator sections comprises disposing said ventilator section layers in a stacked relationship.

The 4 April 2006 amendment canceled claim 63.

Please cancel claims 35-48 and 61-70 without prejudice, Applicants reserving the right to prosecute these claims in subsequent continuation or divisional applications.

Claim 64.

Added by the 2 May 2003 amendment.

64. (New) The process of claim 63, in which each of said pair of ventilator sections is formed from a blank of corrugated material.

Claim 64 was withdrawn from consideration by the 15 September 2003 amendment.

64. (Withdrawn) The process of claim 63, in which each of said pair of ventilator sections is formed from a blank of corrugated material.

The 4 April 2006 amendment canceled claim 64.

Please cancel claims 35-48 and 61-70 without prejudice, Applicants reserving the right to prosecute these claims in subsequent continuation or divisional applications.

Claim 65.

Added by the 2 May 2003 amendment.

65. (New) The process of claim 63, in which each of said pair of ventilator sections is formed from a blank of double-faced corrugated plastic material.

Claim 65 was withdrawn from consideration by the 15 September 2003 amendment.

65. (Withdrawn) The process of claim 63, in which each of said pair of ventilator sections is formed from a blank of double-faced corrugated plastic material.

The 4 April 2006 amendment canceled claim 65.

Please cancel claims 35-48 and 61-70 without prejudice, Applicants reserving the right to prosecute these claims in subsequent continuation or divisional applications.

Claim 66.

Added by the 2 May 2003 amendment.

66. (New) The process of claim 61, in which each of said pair of ventilator sections is formed from a blank of corrugated material.

Claim 66 was withdrawn from consideration by the 15 September 2003 amendment.

66. (Withdrawn) The process of claim 61, in which each of said pair of ventilator sections is formed from a blank of corrugated material.

The 4 April 2006 amendment canceled claim 66.

Please cancel claims 35-48 and 61-70 without prejudice, Applicants reserving the right to prosecute these claims in subsequent continuation or divisional applications.

Claim 67.

Added by the 2 May 2003 amendment.

67. (New) The process of claim 61, in which each of said pair of ventilator sections is formed from a blank, said blank comprising a corrugated ply disposed between a pair of generally planar plies.

Claim 67 was withdrawn from consideration by the 15 September 2003 amendment.

67. (Withdrawn) The process of claim 61, in which each of said pair of ventilator sections is formed from a blank, said blank comprising a corrugated ply disposed between a pair of generally planar plies.

The 4 April 2006 amendment canceled claim 67.

Please cancel claims 35-48 and 61-70 without prejudice, Applicants reserving the right to prosecute these claims in subsequent continuation or divisional applications.

Claim 68.

Added by the 2 May 2003 amendment.

68. (New) The process of claim 61, in which each of said pair of ventilator sections is formed from a blank of double-faced corrugated plastic material.

Claim 68 was withdrawn from consideration by the 15 September 2003 amendment.

68. (Withdrawn) The process of claim 61, in which each of said pair of ventilator sections is formed from a blank of double-faced corrugated plastic material.

The 4 April 2006 amendment canceled claim 68.

Please cancel claims 35-48 and 61-70 without prejudice, Applicants reserving the right to prosecute these claims in subsequent continuation or divisional applications.

Claim 69.

Added by the 2 May 2003 amendment.

69. (New) The process of claim 61, in which said multiplicity of air passages extend generally perpendicularly to said ventilator centerline.

Claim 69 with withdrawn from consideration by the 15 September 2003 amendment.

69. (Withdrawn) The process of claim 61, in which said multiplicity of air passages extend generally perpendicularly to said ventilator centerline.

The 4 April 2006 amendment canceled claim 69.

Please cancel claims 35-48 and 61-70 without prejudice, Applicants reserving the right to prosecute these claims in subsequent continuation or divisional applications.

Claim 70.

Added by the 2 May 2003 amendment.

70. (New) The process of claim 69, in which said multiplicity of air passages are generally parallel.

Claim 70 was withdrawn from consideration by the 15 September 2003 amendment.

70. (Withdrawn) The process of claim 69, in which said multiplicity of air passages are generally parallel.

The abstract was amended by the 22 May 2001 preliminary amendment, the amendment shown below (including the redlined attachment thereto).

The 4 April 2006 amendment canceled claim 70.

Please cancel claims 35-48 and 61-70 without prejudice, Applicants reserving the right to prosecute these claims in subsequent continuation or divisional applications.

In the Abstract

The abstract is amended to read:

A ridge peak roof ventilator comprising a pair of vent parts disposed on opposing sides of an opening in a roof peak, and a top panel disposed above and connecting each of the vent parts. The vent parts may be of unitary construction, folded from interconnected panels, or assembled from individual layers of sheet material, and each forms a multiplicity of air passages through which air flows from the interior to the exterior of the roof ventilator. The top panel is constructed from double-faced corrugated plastic having a pair of planar plies and a convoluted intermediate ply. The underside of the top panel is routed along the centerline to form a concave recessed area, thereby cutting away a section of one planar ply and part of the intermediate ply to form oval-shaped openings. Each opening has side walls traversing concave arcuate paths between a maximum height adjacent the side edges of the recessed area and a minimum height along the centerline. The top panel will responsively fold along the centerline corresponding to the minimum heights of each of the side walls. Each vent part defines pockets serving as precipitation barriers, the pockets being formed by cutting an array of apertures into separate panels and folding or attaching those panels in parallel abutting contact with the apertures aligned. The top panel may also define one or more lines of apertures extending completely therethrough. The roof ventilator may be shipped flat or folded into a compact bundle.

Redlined attachment to preliminary amendment.

In the Abstract

The abstract is amended to read:

A ridge peak roof ventilator comprising a pair of vent parts disposed on opposing sides of an opening in a roof peak, and a top panel disposed above and connecting each of the vent parts. The vent parts may be of unitary construction, folded from interconnected panels, or assembled from individual layers of sheet material, and each forms a multiplicity of air passages through which air flows from the interior to the exterior of the roof ventilator. The top panel is constructed from double-faced corrugated plastic having a pair of planar plies and a convoluted intermediate ply. The underside of the top panel is routed along the centerline to form a concave recessed area, thereby cutting away a section of one planar ply and part of the intermediate ply to form oval-shaped openings. Each opening has side walls traversing concave arcuate paths between a maximum height adjacent the side edges of the **recessed** **[recesesd]** area and a minimum height along the centerline. The top panel will responsively fold along the centerline corresponding to the minimum heights of each of the side walls. Each vent part defines pockets serving as precipitation barriers, the pockets being formed by cutting an array of apertures into separate panels and folding or attaching those panels in parallel abutting contact with the apertures aligned. The top panel may also define one or more lines of apertures extending completely therethrough. The roof ventilator may be shipped flat or folded into a compact bundle.

37 C.F.R. §§ 1.178(b) and 1.56

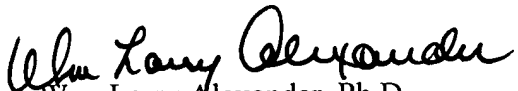
9. The Office Action reminded the Applicants of the continuing obligation under 37 C.F.R. 1.178(b) to timely appraise the Office of any prior or concurrent proceedings in which U.S. Patent 5,094,041 is or was involved. None of the Applicants, Assignee, or Attorneys is aware of any such concurrent proceedings.

The Office Action further reminded Applicants of the continuing obligation under 37 C.F.R. § 1.56 to timely appraise the Office of any information material to patentability of the claims under consideration in this reissue application. To the best of the Applicants', Assignee's, and Attorney's knowledge, all such information has been disclosed.

Conclusion

10. In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested. The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



Wm. Larry Alexander, Ph.D.
Registration No. 37,269

Customer No. 24113
Patterson, Thuente, Skaar & Christensen, P.A.
4800 IDS Center
80 South 8th Street
Minneapolis, Minnesota 55402-2100
Telephone: (612) 349-5757